

## METROPOLITAN AREA PLANNING COMMISSION

### MINUTES

November 21, 2002

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, November 21, 2002, at 1:30 P.M., in the Planning Department Conference Room, 10<sup>th</sup> floor, City Hall, 455 North Main, Wichita Kansas. The following members were present: Bud Hentzen, Chair; Kerry Coulter, Vice-Chair; Jerry Michaelis; Ron Marnell; Bill Johnson; Harold Warner; Frank Garofalo; Ray Warren; David Wells; Elizabeth Bishop; Don Anderson; Dorman Blake. James Barfield and John McKay, Jr. were not present. Staff members present were: Dale Miller, Secretary; Donna Goltry, Assistant Secretary; Neil Strahl, Senior Planner; Bill Longnecker, Senior Planner; Scott Knebel, Senior Planner; Jess McNeely, Associate Planner; and Rose Simmering, Recording Secretary.

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**1. Approval of MAPC meeting minutes November 7, 2002.**

BISHOP had a correction on page 7.

**MOTION:** That the minutes for November 7, 2002, as amended, be approved.

**JOHNSON** moved, **COULTER** seconded the motion, and it carried (12-0).

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**2. Consideration of Subdivision Committee Recommendations**

**Items 2-1 through 2-8 may be taken in one motion unless there are questions or comments.**

**2-1. SUB2002-105 – Final Plat – FALCON FALLS ADDITION (FORMERLY FALCON RIDGE ADDITION), located south of 53<sup>rd</sup> Street North and on the west side of Hillside.**

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. **An off-site drainage easement is needed. A maintenance agreement for the pond is also needed.**
- D. **County Engineering has required left turn lanes on Hillside.**
- E. The plat proposes complete access control along the plat's frontage to Hillside. In the plat's text regarding Complete Access Control, Block 1 needs added and West needs changed to East.
- F. The Applicant shall guarantee the paving of the proposed streets. The guarantee shall also provide for sidewalks on at least one side of all through, non cul-de-sac streets.
- G. The paving guarantee shall include the installation of a temporary turnaround at the terminus of Falcon at the plat's south line. If off-site, the temporary turnaround shall be established by separate instrument. The plat's text should indicate that the vacation of the temporary turnaround area will be effective upon the extension of the street southward.
- H. It is recommended that the future reserve abutting the site along the west be extended to Eagle Point Circle by access easements or by narrow strips of Reserve between the lots to increase its accessibility and usefulness for all homeowners in the Addition.

The pedestrian connection has been platted as requested.

- I. MAPD recommends a pedestrian access connection extending to the school property to the north. **The Applicant intends to plat a pedestrian connection within a future phase of development.**
- J. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- K. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- L. Dimensions and locations are needed for Reserves A, B and C.

- M. **County Surveying** has advised that the legal description does not close.
- N. The North line of the plat needs referenced in the legal description as being the "North line of the South 16.5 feet of the North half of the Northeast Quarter of Section 22".
- O. Dimensions need added or corrected on Lot 17, Block 1; Lots 8 and 10, Block 3; Lot 4, Block 5; Lot 4, Block 6; and Lots 1 and 2, Block 7.
- P. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- Q. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- R. The applicant intends to plat 5-ft interior side yard setbacks for all of the lots. A plat note to that effect shall be included on the final plat tracing. The Zoning Code allows 5-ft side yards on lots up to 6,000 sq. ft.; however 6 feet is required for larger lots. The Subdivision Regulations permit the setback provisions to be modified by the plat upon the approval of the Planning Commission.
- R. The **City Fire Department/GIS** has approved the street names.
- S. The signature line for the City Clerk needs to be revised to reference "Pat Graves".
- T. The Applicant is reminded that a platting binder is required with the final plat. approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- U. The platator's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- V. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- W. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- X. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Y. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- Z. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- AA. Perimeter closure computations shall be submitted with the final plat tracing.
- BB. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- CC. The representatives from the **utility companies** should be prepared to comment on the need for any additional utility easements to be platted on this property. **Westar Energy and Southwestern Bell have requested additional easements.**
- DD. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-2. SUB2002-95 – Final Portion of Overall Preliminary Plat – TYLER’S LANDING ADDITION, located on the east side of Tyler Road, south of 37<sup>th</sup> Street North.**

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed. Upon annexation, the property will be zoned SF-5, Single-Family Residential and allow for the lot sizes being platted.
- B. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **City Engineering** needs to comment on the status of the applicant's drainage plan. **The drainage plan is approved. A guarantee is required.**
- E. **Traffic Engineering** needs to comment on the need for any improvements to perimeter streets. **A guarantee is requested for a left turn lane on Tyler at Brookview.**
- F. The Applicant shall guarantee the paving of the proposed streets. The guarantee shall also provide for sidewalks on at least one side of all through, non cul-de-sac streets.
- G. The paving guarantee shall include the installation of a temporary turnaround at the terminus of High Point at the plat's north line. If off-site, the temporary turnaround shall be established by separate instrument. The plat's text should indicate that the vacation of the temporary turnaround area will be effective upon the extension of the street.
- H. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- I. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- J. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- K. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.
- L. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- M. The **City Fire Department/GIS** needs to comment on the plat's street names. **High Point shall be labeled as "High Pt"**
- N. "78<sup>th</sup> St. West" needs revised to "87<sup>th</sup> St. West".
- O. The signature line for the City Clerk needs to be revised to reference "Pat Graves".
- P. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- Q. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- R. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- S. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- T. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.

- U. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- V. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Y. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- Z. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-3. SUB2002-87 – Revised One-Step Final Plat – POWER C.D.C. SECOND ADDITION, located on the north side of 25<sup>th</sup> Street North and west of Grove Street.**

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. **City Engineering** needs to comment on the status of the applicant's drainage plan. **The drainage plan is approved. The guarantee may be part of the paving petition. A drainage easement is needed.**
- D. **Traffic Engineering** has requested additional right-of-way along 26th St. North to conform with the typical 60-ft streets in this area.

The additional street right-of-way has been dedicated as requested.

- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalks along at least one side of all through, non cul-de-sac streets.
- F. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities.
- G. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- H. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- I. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- J. The **City Fire Department/GIS** needs to comment on the plat's street names. **Pembroke Cir should be renamed as "Minnesota Ct".**
- K. Misc centerline data needs added on Minnesota Ave., Minnesota Cir. and Pembroke Circle.
- L. The drainage dedication should be referenced in the plat's text.
- M. The signature line for the City Clerk needs to be revised to reference "Pat Graves".

- N. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- O. The platlor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- P. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- Q. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- R. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- S. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- T. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- U. Perimeter closure computations shall be submitted with the final plat tracing.
- V. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- W. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. **Westar Energy has requested additional easements.**
- X. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-4. SUB2002-119 – One-Step Final Plat – COPPER GATE SECOND ADDITION, generally located on the southwest corner of 135<sup>th</sup> Street West and 13<sup>th</sup> Street North.**

- A. Prior to this plat being scheduled for City Council review, annexation of the property will need to be completed.
- B. Petitions for municipal services have been previously submitted in conjunction with the adjoining plats (Liberty Park and Copper Gate Estates) as this plat is included in the same water and sewer benefit district.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **City/County Engineering** needs to comment on the status of the applicant's drainage plan. **The drainage plan is approved.**
- E. The plat proposes two access openings along 13th St. North and one joint opening along 135th St. West. The westerly opening along 13<sup>th</sup> St. shall be located near the west property line. In accordance with the Access Management Regulations, the openings closest to the intersection need to be contingent rights-in/out and labeled as such on the face of the plat. The platlor's text should state that the openings shall be rights-in/out contingent upon the widening of the streets.
- F. The Access Management Regulations require an additional 25-ft x 25-ft corner clip at the intersection.
- G. A note shall be placed on the final plat, indicating that this Addition is subject to the conditions of the Copper Gate Community Unit Plan (CUP DP-231).

- H. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- I. The signature line for the City Clerk needs to be revised to reference "Pat Graves".
- J. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- K. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- L. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- M. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- N. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- O. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- P. Perimeter closure computations shall be submitted with the final plat tracing.
- Q. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- R. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- S. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-5. SUB2002-116 – One-Step Final Plat – OPPORTUNITY CENTER ADDITION, located north of 47<sup>th</sup> Street South, west of K-15.**

- A. The applicant shall guarantee the extension of City water to sanitary serve the lot being platted. **City/County Engineering** needs to comment on the need for other guarantees or easements. **The applicant intends to extend municipal services by a private project. City Water and Sewer Department has requested the participation in the private project of the abutting property owner to the south.**
- B. Since public water improvements will be with the City of Wichita, consequently an outside-the-city water agreement shall be provided.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **County Engineering** needs to comment on the status of the applicant's drainage plan. **A drainage plan has been received.**
- E. **County Engineering recommends access control except three openings along Clifton. The southernmost opening shall be a joint opening with the property to the south.**
- F. The joint access opening shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- G. **County Fire Department** has requested access openings to be no smaller than 20 feet wide with a minimum of 2 access openings being provided.

- H. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- I. To allow for County Commission approval of this plat, the County Commissioner signature block shall be included on the final plat tracing.
- J. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- K. The signature line for the City Clerk needs to be revised to reference "Pat Graves".
- L. The platlor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- M. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- N. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- O. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- P. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- Q. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- R. Perimeter closure computations shall be submitted with the final plat tracing.
- S. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- T. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property. **Southwestern Bell has requested additional easements.**
- U. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-6. SUB2002-117 – One-Step Final Plat – MIAMI DOLPHINS ADDITION, located on the east side of 183<sup>rd</sup> Street, north of 55<sup>th</sup> Street South.**

- A. Since sanitary sewer is unavailable to serve this property, the applicant shall contact **County Code Enforcement** to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities. A memorandum shall be obtained specifying approval.
- B. The site is currently located within the Rural Water District No. 4. The applicant shall contact this water district to determine the ability of this property being platted to connect to their water line and submit a letter to MAPD and **County Code Enforcement** from the water district to that effect.
- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **County Engineering** needs to comment on the status of the applicant's drainage plan. **Minimum pad needs to be set at 1395. The floodway reserve should be vacated and rededicated per KSA 12-512(b)**
- E. The plat proposes one access opening along 183rd St. West. Distances should be shown for all segments of access

control. **The Subdivision Committee has approved access control except one opening along the south third of the property.**

- F. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings.
- G. Access drives to any structures in excess of 150 feet from the edge of the roadway will need to be installed prior to final framing inspection, preferably before the start of any above grade construction work. Such drive to be installed according to fire department specifications:
  - 1) Twenty feet of drivable surface is provided the entire length of the access drive designed to withstand the weight of fire apparatus in inclement weather with provisions for turning fire apparatus around.
  - 2) The surface will need to be an all weather material consisting of rock or gravel, ground asphalt, laid asphalt or concrete. It is to be applied a minimum of 4 inches in depth consistently over the entire width and length of the driving surface (gravel is prone to problems during extended periods of rain or snow and should be used with caution unless a good solid compacted base has been installed).
- H. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- I. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- J. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- K. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- L. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- M. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- N. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- O. Perimeter closure computations shall be submitted with the final plat tracing.
- P. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Q. The representatives from the **utility companies** should be prepared to comment on the need for any additional utility easements to be platted on this property. **Southwestern Bell has requested additional easements.**
- R. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-7. SUB2002-118 – One-Step Final Plat – RANCHO DEL OSO LIBERDAD ADDITION, on the east side of Maize Road, south of 61<sup>st</sup> Street North.**

- A. This site is located over the Equus Beds aquifer. The **Equus Beds Management District** needs to comment on the use of on-site sewage facilities for this property. **Due to shallow groundwater and sandy soils, a lined lagoon is recommended.**
- B. Since neither sanitary sewer nor municipal water is available to serve this property, the applicant shall contact **County Code Enforcement** to find out what tests may be necessary and what standards are to be met for approval



of on-site sewerage and water wells. A memorandum shall be obtained specifying approval.

- C. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. **County Engineering** needs to comment on the status of the applicant's drainage concept. **A drainage concept is needed which should include spot elevations. The minimum pad should be set at 1355.**
- E. **County Engineering** needs to comment on the access controls. The plat proposes one access opening along Maize Road. **The access controls are approved.**
- F. The Applicant should provide a 29-ft contingent dedication of street right-of-way along the north property line in order to provide for potential subdivision of the property to the north. The opening along Maize should be closed when the new street is constructed. On the final plat tracing, the contingent dedication of right-of-way needs to be referenced in the plat's text.
- G. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations which state that the maximum depth of all residential lots shall not exceed 2.5 times the width.
- H. Access drives to any structures in excess of 150 feet from the edge of the roadway will need to be installed prior to final framing inspection, preferably before the start of any above grade construction work. Such drive to be installed according to fire department specifications:
  - 1) Twenty feet of drivable surface is provided the entire length of the access drive designed to withstand the weight of fire apparatus in inclement weather with provisions for turning fire apparatus around.
  - 2) The surface will need to be an all weather material consisting of rock or gravel, ground asphalt, laid asphalt or concrete. It is to be applied a minimum of 4 inches in depth consistently over the entire width and length of the driving surface (gravel is prone to problems during extended periods of rain or snow and should be used with caution unless a good solid compacted base has been installed).
- I. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- J. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- K. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- L. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- M. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- N. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- O. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- P. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- Q. Perimeter closure computations shall be submitted with the final plat tracing.
- R. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- S. The representatives from the **utility companies** should be prepared to comment on the need for any additional utility easements to be platted on this property.
- T. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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**2-8.      SUB2002-121 – One-Step Final Plat – LINWOOD SCHOOL ADDITION, on the southeast corner of Harry and Hydraulic.**

- A. City water services are available to serve the site. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. As drainage will be directed onto the adjacent KDOT right-of-way, a letter shall be provided from KDOT indicating their agreement to accept such drainage.
- D. Complete access control needs to be platted along Harry and Hydraulic. Distances should be shown for all segments of access control. The final plat shall reference the dedication of access controls in the plat's text.
- E. **Traffic Engineering** requests a guarantee for a left turn lane subject to a traffic study.
- F. The applicant may consider the platting of a reserve for the area denoted as Lot 2.
- G. The Applicant shall guarantee the paving of the proposed street. The paving guarantee should provide for a sidewalk.
- H. The final plat tracing shall state in the plat's text the purposes of the proposed reserves as well as the ownership and maintenance responsibilities.
- I. On the final plat tracing, the MAPC signature block needs to reference "Dale Miller, Secretary".
- J. The **City Fire Department/GIS** needs to comment on the plat's street names. **The street name is approved.**
- K. The vertical line at the intersection of Osie and Hydraulic extending along the width of Osie should be deleted to indicate that Osie is proposed as a public street.
- L. The signature line for the City Clerk needs to be revised to reference "Pat Graves".
- M. MAPD will inform the Applicant of the need for inclusion within the plat of Reserve A, which is owned by the City of Wichita.
- N. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- O. The plat's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- P. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- Q. The applicant's engineer is advised that the Register of Deeds is requiring the name(s) of the notary public, who acknowledges the signatures on this plat, to be printed beneath the notary's signature.
- R. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- S. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- T. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and

Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.

- U. Perimeter closure computations shall be submitted with the final plat tracing.
- V. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- W. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- X. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.

**MOTION:** To approve, subject to staff comments and citing the findings in their report.

**MICHAELIS** moved, **BISHOP** seconded the motion, and it carried (12-0).

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- 3a. **Case No.: ZON2002-00055 (Associated with CUP2002-00038 DP67 #5) – Deferred waiting on documentation from the applicant.**

**AND**

- 3b. **Case No.: CUP2002-00038 DP67 #5 (Associated with ZON2002-00055) – Deferred waiting on documentation from the applicant.**

Nobody here to speak.

**MOTION:** To defer items 3a & 3b and 4a & 4b to December 5, 2002.

**JOHNSON** moved, **ANDERSON** seconded the motion, and it carried (12-0).

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- 4a. **Case No.: ZON2002-00057 (Associated with CUP2002-00039 DP263) - Deferred waiting on documentation from the applicant.**

**AND**

- 4b. **Case No.: CUP2002-00039 DP263 (Associated with ZON2002-00057) Deferred waiting on documentation from the applicant.**

Nobody here to speak.

**MOTION:** To defer items 3a & 3b and 4a & 4b to December 5, 2002.

**JOHNSON** moved, **ANDERSON** seconded the motion, and it carried (12-0).

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5. **Case No.: ZON2002-00062** William Owen (owner), William G. Farha (contract purchaser), Baughman Company P A c/o Terry Smythe (agent) Request Zone change from "GO" General Office to "LC" Limited Commercial and "NR" Neighborhood Retail with separate Protective Overlay's

Lot 1, Block A, Thunderbird Office Park, an Addition to Wichita, Sedgwick County, Kansas, EXCEPT that part of said Lot 1 described as follows: Beginning at the Southwest corner of said Lot 1; thence N 00 degrees 00'00" E along the West line of said Lot 1, 56.00 feet; thence S 53 degrees 34'14" E, 91.96 feet to a point on the South line of said Lot 1, said point being 74.00 feet East of the Southwest corner of said Lot 1; thence S 88 degrees 55'15" W along the South line of said Lot 1, 74.00 feet to the point of beginning.

**AND**

That part of Lot 2, Block A, Thunderbird Office Park, an Addition to Wichita, Sedgwick County, Kansas described as follows: Beginning at the Northeast corner of said Lot 2; thence S00 degrees 00'00" E along the east line of said Lot 2, 193.00 feet; thence N 90 degrees 00'00" W, 205.00 feet; thence N 06 degrees 01'15" W, 85.44 feet; thence N 00 degrees 00'00" E parallel with the east line of said Lot 2, 104.00 feet to a point on the north line of said Lot 2; thence N 88 degrees 55'15" E along the north line of said Lot 2, 214.00 feet to the point of beginning. Generally located On the southwest corner of 119<sup>th</sup> Street West and Maple

**BACKGROUND:** The applicant requests a zone change from "GO" to "LC" and "NR" on a 3.2 acre platted site located at the southwest corner of Maple and 119<sup>th</sup> Street West. The applicant proposes to develop the subject property with Neighborhood Retail and Limited Commercial uses. The applicant proposes amending the existing Protective Overlay on the property to exclude certain "LC" uses, such as convenience stores, car washes, self-storage warehouses, and many others. The applicant requests "LC" zoning at the intersection on this site to retain the flexibility of drive-through restaurants, and restaurants larger than 2,000 square-feet, both of which are prohibited in "NR" zoning. The existing Protective Overlay (P-O) limits uses in the "GO" district; it limits multi-family density; it controls signage, lighting, and landscaping; and it controls architecture on the site.

The surrounding area is characterized by residential uses on the developing fringe of Wichita with significant amounts of parkland in the area. The properties north of the site across Maple are zoned "SF-5" Single Family Residential and are developed with single-family residences. The properties east of the site across 119<sup>th</sup> Street West are zoned "SF-5" Single-Family Residential and are developed with single-family residences and West Millbrook Park. The property immediately south of the application area is zoned "GO" and undeveloped, further south is property zoned "SF-5" Single-Family Residential and developed with The Meadows Park. The property west of the site is zoned "B" Multi-Family Residential and is developed with an assisted living facility.

**CASE HISTORY:** In 1994, a 3.4-acre tract on the subject property, located at the southwest corner of Maple and 119<sup>th</sup> Street West, requested (Z-3143) "BB" Office zoning (now "GO" General Office) along with a request for "B" Multi-Family zoning on a 9.6 acre tract located west of the subject property. On August 11, 1994, the MAPC voted (6-5) to approve the request subject to platting, obtaining necessary wetland permits, and filing a restrictive covenant regarding permitted uses, architectural design, building height, residential density, lighting, and landscaping. On September 13, 1994, the City Council considered the request and referred the matter back to the MAPC. At the rehearing on October 6, 1994, the MAPC voted (9-3) to approve the request subject to the same conditions. On October 31, 1994, the applicant withdrew the request for "BB" Office District zoning on the 3.4 acre tract. The City Council approved "B" Multi-Family zoning on the 9.6 acre tract located west of the subject property on November 1, 1994, subject to the recommended conditions. Written protest petitions representing 22.6% of the land area within 200 feet of the subject property were filed against the request. A petition signed by 643 area residents and numerous letters also were submitted protesting the request. The CPO for District 5 twice voted (5-1 on August 10, 1994 and 5-3 on September 28, 1994) to disapprove the request.

In 2001, 8.5 acres, including the current application area, requested a zone change from existing "SF-5" to "GO" zoning. MAPC heard the request and voted 10-2 to approve the zone change, subject to a Protective Overlay. District Advisory Board (DAB) IV then heard the request and voted 6-3 to recommend denial. Staff received two letters of opposition in that case. City Council approved the zone change request, subject to platting within one year and subject to P-O #99 (see attached ordinance to include P-O #99).

The application area was recently platted as the Thunderbird Office Park Addition. Platting included right of way dedications on Maple and 119<sup>th</sup>, access control except one opening on Maple and two openings on 119<sup>th</sup>, and other typical infrastructure improvements.

**ADJACENT ZONING AND LAND USE:**

NORTH:	"SF-5"	Single-family residences
SOUTH:	"GO", "SF-5"	Vacant, The Meadows Park
EAST:	"SF-5"	Single-family residences; West Millbrook Park
WEST:	"B"	Assisted living facility

**PUBLIC SERVICES:** The site has frontage along both Maple and 119<sup>th</sup> Street North. Maple is a four lane arterial at the application area, 119<sup>th</sup> Street West is a two-lane arterial at the application area, the intersection of Maple and 119<sup>th</sup> Street West has been improved to include additional turn lanes and acceleration lanes. The Capital Improvement Program projects to widen 119<sup>th</sup> Street West (in 2011) to four lanes, plus a turn lane at the intersection. At the application area, 119<sup>th</sup> Street West currently carries approximately 7,004 vehicles per day and is projected to carry 12,100 by 2030. Maple currently carries approximately 6523 vehicles per day and is projected to carry 12,500 by 2030. The 2030 Transportation Plan designates both 119<sup>th</sup> and Maple as four-lane arterials. Flood plain does exist south of the application area. Public water and sewer service are available to be extended to the site.

**CONFORMANCE TO PLANS/POLICIES:** The "Wichita Land Use Guide" of the *1999 Update to the Wichita/Sedgwick County Comprehensive Plan*, amended in January 2002, identifies this location as planned for office development. The Commercial Locational Guidelines of the Comprehensive Plan recommends that commercial uses be located at arterial intersections.

The Far West Side Commercial Development Policy, adopted by the City Council in 1996, indicates that the scale of commercial development at the intersection of Maple & 119<sup>th</sup> Street West should be limited to a total of eight acres with no more than four acres of commercial development on any one corner. The Far West Side Commercial Development Policy also recommends that the appearance of commercial development should have certain characteristics in terms of signage, lighting, landscaping, and architectural design.

**RECOMMENDATION:** This application does not conform to the Land Use Guide of the *Comprehensive Plan*; it does, however, meet the Commercial Locational Guidelines of the Plan, and it is within the limits of the Far West Side Commercial Development Policy. Planning staff therefore finds that the subject property is appropriate for Limited

Commercial and Neighborhood Retail development. The Far West Side Commercial Development Policy recommends that the appearance of commercial development should have certain characteristics in terms of signage, lighting, landscaping, and architectural design; therefore, planning staff recommends that the existing Protective Overlay (P-O #99) be amended to further ensure meeting the standards of that policy. Staff has met with the applicant and agent, they agree to recommendations for predominantly brick exterior buildings, eight-foot monument signage, and prohibition of certain "LC" uses.

Based upon these factors and the information available prior to the public hearings, planning staff recommends that the request for "LC" and "NR" zoning be APPROVED, subject to amended Protective Overlay #99, as follows:

1. The following uses shall not be permitted: convenience store, group residence, limited and general; cemetery; correctional placement residence, limited and general; group home, limited, general, and commercial; recycling collection station, private and public; reverse vending machine; animal care, limited and commercial; bed & breakfast inn; broadcast/recording studio; car wash; construction sales and service; heliport; hotel/motel; kennel, hobby, and boarding/breeding/training; marine facility, recreational; monument sales; night club in the city; nurseries and garden centers; parking area, commercial; pawn shop; printing and publishing, general; recreation and entertainment, indoor and outdoor; recreational vehicle campground; secondhand store; service station; tavern and drinking establishment; vehicle and equipment sales, outdoor; vehicle repair, limited; vocational school; wireless communication facility; asphalt or concrete plant, limited and general; manufacturing, limited; warehouse, self-service storage; parking area, commercial; mining or quarrying; oil or gas drilling; rock crushing; and solid waste incinerator; storage, outdoor; agricultural research; agricultural sales and service.
2. Multi-family density shall be limited to 17.4 units per acre.
3. Ground signage shall be monument type and shall be limited to 8 feet in height. Ground signage shall be limited to four total signs, spaced a minimum of 150 feet apart.
4. All exterior lighting shall be shielded to prevent light disbursement in a northerly or easterly direction. Light poles shall be limited to 14 feet in height. Backlit canopies and neon or fluorescent lighting on buildings shall not be permitted.
5. Requirements for landscaped street yard and landscaped buffers shall be 1.5 times the minimum requirements of the Landscape Ordinance.
6. The buildings shall be designed with a residential architectural character, with exterior colors and materials compatible with surrounding residential areas. All buildings shall share uniform architectural character, color, texture, and the same predominate exterior building materials. Front and side building facades shall have brick as the predominant exterior building material. Building roofs shall be similar in texture or pattern to the surrounding residential areas and shall be gable or hip in style.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by residential uses on the developing fringe of Wichita with significant amounts of parkland in the area. West of the application area is property zoned "B" Multi-Family Residential and developed with an assisted living facility; vacant "GO" zoned property exists south of the site; all other property surrounding the site is zoned "SF-5" Single-Family Residential, and is developed with single-family residences or park land. Commercial development that is limited in scale and located in buildings with a residential character should not change the character of existing residential uses in the area.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "GO", and could be developed with office uses permitted in that district, and under the current P-O. The Far West Side Commercial Development Policy indicates that commercial development on the site should be limited in scale; therefore, the recommendation is to support limited "LC" development immediately at the corner, and "NR" development further south, bordering the existing "GO" zoning.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by limiting the commercial uses, and by requiring high design standards through the proposed P-O amendment. The subject property is separated from adjacent single-family residential properties by arterial streets; the residences across the street from the application area are oriented such that the rear of the residences face the subject property.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the *Comprehensive Plan* identifies this area as suitable for office development; however, the Commercial Locational Guidelines of the Plan encourage commercial uses at arterial intersections. The Far West Side Commercial Development Policy indicates that the scale of commercial development at the

intersection of Maple & 119<sup>th</sup> Street West should be limited to a total of eight acres with no more than four acres of commercial development on any one corner, this request is for 3.2 acres. The Far West Side Commercial Development Policy also recommends that the appearance of commercial development should have certain characteristics in terms of signage, lighting, landscaping, and architectural design, which should be achieved through the recommended P0 amendment.

5. Impact of the proposed development on community facilities: Community facilities are adequate to address the additional traffic generated by the development with the recent widening of the intersection of Maple & 119<sup>th</sup> Street West and the planned improvements to those streets in the CIP.

JESS MCNEELY, Planning staff presented the staff report.

BISHOP Looking at the west view slide, is that the drainage area? It looks like a street.

MCNEELY This is the middle of the site, further south would be the water drainage area.

BISHOP This may be a platting issue, and I know there are a lot of drainage issues out there or will that be decided at platting where the drainage will be?

MCNEELY A drainage reserve will be decided at the time of platting, yes.

WARREN They want "Limited Commercial" zoning and "Neighborhood Office" zoning?

MCNEELY No. They are requesting "Neighborhood Retail" and "Limited Commercial."

MICHAELIS Why eliminate a convenience store on a mile intersection? Where are they going to put those stores?

MCNEELY The applicant requested that restriction.

GAROFALO In the "General Office" zoning district, there are no restaurants allowed. The applicant is asking for the change to "LC" & "NR"?

MCNEELY The applicant requests "LC" zoning at the intersection on this site to retain the flexibility of drive-through restaurant, and restaurants larger than 2,000 square-feet, both of which are prohibited in "NR" zoning. The applicant can probably address these questions.

GAROFALO How close is the Vyne assisted living facility to this development?

MCNEELY The property west of the site is zoned "B" Multi-family, that is where the Vyne is.

RON SPANGENBERG, with SPANGENBERG PHILLIPS ARCHITECTURE, 121 N. MEAD, SUITE 201, WICHITA, KS 67202: This is the master plan for the site. One feature of doing the retention area, and providing a lake, will fill out this area and improve the drainage situation here. We saw several use mixes, commercial and office, along the water. There will be some good views that will attract office users. These will be one-story offices. We want a scheme that you can circulate through the entire site, so you can go from one location to the other without leaving the site on a street. A jogging path will be provided. Parking lots will be small. In four locations there will be the monument signs, eight feet in height is good for the neighborhood. There are a lot of hipped roofs in the neighborhood, and brick, so we will use that as our scheme as well for our buildings. The retail center will use brick and a stucco band above that because of residential next to the office development. So the sign band will fit in with the neighborhood.

TERRY SMYTHE with BAUGHMAN COMPANY, 315 ELLIS, WICHITA, KS, 67211: This development is in compliance with the Comprehensive Plan and meets the Locational Guidelines. This development also is in compliance with the Far West Side Commercial Development Policy. We are talking about a Community Unit Plan on this small of a site, and it will have a great look.

WARREN Are you in agreement with the conditions 1-6 in the staff report?

SMYTHE Yes we are. The contract purchaser is here as well today if you have any questions for him, Mr. William G. Fahra.

**MOTION:** To approve as recommended and citing the findings in the staff report.

**WARREN** moved, **JOHNSON** seconded the motion, and it carried (12-0).

HENTZEN Let me ask the staff since some of us are new to the MAPC, some may not know what the Far West Side Commercial Development Policy, adopted in 1996 has in it or what it entails. I would like the staff to brief us on that sometime on that policy.

MILLER We can do that.

BISHOP I would like to make note of the new MAPC Roster we received today. It is an update.

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The Metropolitan Area Planning Department informally adjourned at 1:54 p.m.

State of Kansas        )  
Sedgwick County     ) ss

I, Dale Miller, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, held on \_\_\_\_\_, is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Dale Miller, Secretary  
Wichita-Sedgwick County Metropolitan  
Area Planning Commission

(SEAL)